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C O N F I D E N T I A L SECTION 01 OF 02 ZAGREB 000148

SIPDIS

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TAGS: PREL PGOV HR NATO EU

SUBJECT: CROATIA-SLOVENIA: NO PROGRESS ON BORDER ISSUE,  
SLOVENE ASSURANCES ON NATO

REF: A. ZAGREB 107

1B. EUR/RPM E-MAIL 3/17/2009

Classified By: Ambassador Robert A. Bradtke for reasons 1.4(b) and (d)

¶1. (C) Summary. In a March 18 meeting with the Ambassador, Croatian Foreign Minister Jandrovic reported that there was no substantive progress on resolving the Croatia-Slovenia border dispute during his March 17 meeting with Slovene Foreign Minister Zbogar and EC Commissioner Rehn. On Slovenia's ratification of Croatia's accession to NATO, Zbogar assured Jandrovic that the Slovenian government would be able to terminate the referendum process early and expected to ratify by March 30. On Croatia's own ratification process, Jandrovic told the Ambassador that the Croatian cabinet had approved the accession protocol that day, and the Croatian (Sabor) parliament would vote next week. The Ambassador reviewed for Jandrovic the U.S. "worst case" scenario in the event Slovene ratification was delayed until the eve of the NATO Summit. End summary.

¶2. (C) On March 18, Croatian Foreign Minister Jandrovic, accompanied by State Secretary Davor Bozinovic, briefed the Ambassador on the latest round of talks with Slovenia on the Croatian-Slovenian border dispute. Jandrovic said that the atmosphere at his meeting with Slovene Foreign Minister Zbogar and EC Commissioner Rehn in Brussels on March 17 had been "better" than in their previous meeting. However, there was no substantive progress. The Croatian and Slovenian positions remained unchanged. Croatia continued to insist that the final arbitration should only take place at the International Court of Justice, a position rejected by Slovenia in favor of a settlement to be decided by a wise persons group, chaired by former Finnish President Ahtisaari. Jandrovic said that Zbogar had reiterated Slovenia's refusal to unblock any chapters in Croatia's EU accession negotiations until agreement was reached on arbitration.

¶3. (C) Neither Minister, commented Jandrovic, had any real negotiating mandate. However, they had been able to at least discuss various formulas, including whether there could be "parallel" arbitration and mediation processes, which would deal with different aspects of the dispute. In that context, Jandrovic reiterated Croatian willingness to provide Slovenia with "the most favorable guarantees possible" of its access to international waters and to agree to joint management of resources in Piran Bay. However, the border itself would need to be resolved by an international court. Zbogar had rejected this approach.

¶4. (C) Jandrovic also said that he had also proposed, as a confidence building measure, reviving the failed French effort from last December to produce a joint statement that no document from either side should prejudice the final settlement of the border. Zbogar had welcomed the idea, but said it would not result in unblocking any of the EU

chapters, making it of little value from Croatia's point of view.

¶ 15. (C) Summing up, Jandrovkovic saw little prospect of progress on the border issue and advancing negotiations with the EU, and little likelihood that EU countries would apply any pressure on Slovenia to ease its position. Indeed, said Jandrovkovic, it was increasingly clear that some EU countries were "not unhappy" that the enlargement process was slowing.

¶ 16. (C) On Slovenia's ratification of Croatia's accession to NATO, Jandrovkovic said that Zbogar had assured him that the Slovene government's plan was to bring the referendum process to a close quickly after the expiration on March 26 of the thirty-five day period for gathering the required 40,000 signatures for a referendum. Zbogar had suggested that Slovenia might be in a position to complete the ratification process by March 30. Jandrovkovic noted that the Croatian cabinet had that day (March 18) given its formal approval to Croatia's own accession document, and that it would be sent to the Sabor for approval next week, possibly March 26.

¶ 17. (C) The Ambassador commented that the U.S. had heard similarly positive statements from the Slovene government about completing its ratification process. While the U.S. hoped that this would be the case and there would be sufficient time to complete the process in a more orderly fashion, it was also prudent to prepare for the possibility that Slovene ratification might come only at the last minute.

The Ambassador shared with the Minister the "Plan B" timeline prepared by Washington (Ref B), and urged the Croatian government to ensure that in this "worst" case, it

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would be ready to complete all necessary actions in a timely fashion. Jandrovkovic, although somewhat taken aback by the prospect that the complex process of depositing all the instruments of ratification might be concluded only hours before the NATO summit begins, nevertheless agreed it was important to be prepared and to ensure that the Croatian side was ready.

BRADTKE